UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:24-CV-00747-FDW-DCK

| LATAWSHA D. BRADLEY, |) |
|---------------------------------------|-------|
| Plaintiff, |) |
| v. | ORDER |
| FAIR COLLECTIONS & OUTSOURCING, INC., |) |
| Defendant. |) |

THIS MATTER is before the Court on Plaintiff's Motion to Dismiss, (Doc. No. 15). Defendant filed a response joining the Motion. (Doc. No. 16.) For the reasons set forth below, Plaintiff's Motion is GRANTED.

Under Federal Rule of Civil Procedure 41(a)(1)(A)(i)–(ii), "the plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment or a stipulation of dismissal signed by all parties who have appeared." Plaintiff's motion is not signed by Defendant. And Defendant filed an answer on August 22, 2024. (Doc. No. 6.) However, Defendant has now filed a signed "Response in Support" of Plaintiff's Motion in which it "joins Plaintiff's dismissal request." (Doc. No. 16, p. 1.) For this reason, the Court concludes dismissal will not prejudice Defendant even though it has answered and dismissal is appropriate.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Dismiss, (Doc. No. 15), which Defendant joins, is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Complaint, (Doc. No. 1-1), is DISMISSED WITHOUT PREJUIDCE and the Clerk of Court is respectfully directed to CLOSE THE CASE.

IT IS SO ORDERED.

Signed: December 20, 2024

Frank D. Whitney

Senior United States District Judge